

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

ASHLEY H. THOMPSON, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	CIVIL ACTION NO.: 2:06cv420-WHA
)	
GEO MARINE, INC., et al.,)	

RESPONSE TO MOTION FOR PARTIAL SUMMARY JUDGMENT

COME NOW Plaintiffs submitting their response to Defendant's Motion for Partial Summary Judgment.

Plaintiffs concede the issues of wantonness and parental consortium. Plaintiffs do not dispute that claims for parental consortium and wantonness should be dismissed. At present, Alabama law does not recognize claims for parental consortium. As revealed through discovery, the facts of the case do not support a claim of wantonness.

As such, Plaintiff Jor.T (Minor Child) is due to be dismissed as his only claim is for parental consortium.¹

All claims, other than wantonness and parental consortium, are not addressed in Defendant's Motion for Partial Summary Judgment.

Dated this the 21st day of March, 2007.

/s/ K. Anderson Nelms

K. Anderson Nelms

THE LAW OFFICES OF JAY LEWIS, LLC

By: Keith Anderson Nelms (ASB-6972-E63K)

¹It is important to note that there are two minor children named as plaintiffs. The Motion for Partial Summary Judgment applies only to one of the minor children. The minor child Ju.T. was in the vehicle at the time of the accident and is claiming injury. (Court Doc. #29 at 3 of 11; footnote 2). The minor child Ju.T. is not addressed in the Motion for Partial Summary Judgment.

Attorney for Plaintiffs
847 S. McDonough Street
Montgomery, AL 36104
(334) 263-7733
Fax: (334) 832-4390
andynelms@jaylewislaw.com
nelmsandy@hotmail.com

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing to counsel of record listed below by filing the same with the Clerk of the Court via CM/ECF which will send a copy to the following on this the __21st__ day of March, 2007.

S. Anthony Higgins
Virginia Lucci

/s/ K. Anderson Nelms
K. Anderson Nelms
THE LAW OFFICES OF JAY LEWIS, LLC
By: Keith Anderson Nelms (ASB-6972-E63K)
Attorney for Plaintiffs
847 S. McDonough Street
Montgomery, AL 36104
(334) 263-7733
Fax: (334) 832-4390
andynelms@jaylewislaw.com
nelmsandy@hotmail.com